



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gregory J. Roger et al. Art Unit : 3738
 Serial No. : 09/657,379 Examiner : Willse, D.
 Filed : September 8, 2000
 Title : METHOD FOR SOFT TISSUE RECONSTRUCTION

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

REPLY TO ACTION OF NOVEMBER 18, 2003

This is in response to the examiner's action dated November 18, 2003. The only outstanding rejection is a nonstatutory double patenting rejection in view of U.S. Patent 6,235,057. Pursuant to 37 C.F.R. § 1.321(b), applicants disclose a Terminal Disclaimer to obviate the obviousness-type double patenting rejection.

Applicants respectfully submit that all claims are in condition for allowance, which action is requested.

RECEIVED

APR 16 2004

TECHNOLOGY CENTER 3700

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

Apr 16, 2004

Signature

Laura Murphy

Typed or Printed Name of Person Signing Certificate

Applicant : Gregory J. Roger et al.
Serial No. : 09/657,379
Filed : September 8, 2000
Page : 2 of 2

Attorney's Docket No.: 00167-311002 / 02-31-0344

Enclosed is a \$110 check for the Terminal Disclaimer fee and a \$420 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: Apr. 16, 2004


Peter J. Devlin
Reg. No. 31,753

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

20838536.doc